

DEVIN DERHAM-BURK #104353
CHAPTER 13 STANDING TRUSTEE
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Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA - DIVISION 5

In re:

Louis Charles Rocha

)
)
) Chapter 13
) Case No. 14-51043CN

)
) TRUSTEE'S OBJECTION TO
) CONFIRMATION WITH CERTIFICATE OF
) SERVICE

)
) 341 Meeting: Date: April 23, 2014 @ 9:45AM
) Confirmation Date: May 7, 2014
) Confirmation Time: 1:55PM

)
) Judge: Charles Novack
)

Debtor(s)

Devin Derham-Burk, Trustee in the above matter, objects to the Confirmation of this 100% Plan for the following reasons:

1. The Trustee is unable to analyze the debtor's petition in that the debtor has failed to file Schedules A, B, C, D, E, F, G, H, I and J, a Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income, and a Statement of Financial Affairs.

- 1 2. Pursuant to the “Guidelines Regarding Residential Loan Modifications In Chapter 13
2 Plan for the San Jose and San Francisco Divisions,” the debtor is required to file and
3 serve a declaration on the Chapter 13 Trustee providing certain information about loan
4 modifications for first mortgage loans secured by a debtors’ residence. The deadline for
5 filing the declaration is the Section 341 meeting. As of this date, no declaration has been
6 filed and it appears from the plan that the debtor is proposing to modify a first mortgage
7 loan on a residence. The Trustee requests that the debtor provide her with the declaration
8 required by the guidelines.
9
- 10 3. The Trustee is in receipt of a proof of claim filed by the Internal Revenue Service stating
11 that the debtor owes priority tax debt in the amount of \$30,000.00. The debtor must file a
12 Schedule E – Creditors Holding Unsecured Priority Claims.
13
- 14 4. The Plan is in violation of 11 U.S.C. Section 1322(d) in that the term exceeds sixty
15 months. As proposed, the term is approximately 162 months.
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19 Dated: April 21, 2014

/S/ Devin Derham-Burk

20 Chapter 13 Trustee
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Said envelopes were addressed as follows:

Law Offices of Christopher Alliotts, Inc.
60 West Alisal Street, Suite 10
Salinas, CA 93901

/S/ Lesley M. Hansen

Office of Devin Derham-Burk, Trustee